IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8052 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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PRAJAPATI BHARATKUMAR SOMABHAI

Versus

GSRTC

Appearance:

1. Special Civil Application No. 8052 of 1995

MR HN BRAHMBHATT for Petitioner No. 1

MR HS MUNSHAW for Respondent No. 1

NOTICE SERVED BY DS for Respondent No. 1

CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 04/04/2002

ORAL JUDGEMENT

Heard learned advocate Mr. H.S. Munshaw for the respondents. In this matter, learned advocate Mr. H.N. Brahmbhatt is appearing for the petitioner. It has been

brought to the notice of this Court that Mr.Brahmbhatt has filed sick note for today. However, on the basis of the statement made by Mr. Munshaw, learned advocate for the respondents, the matter has been taken up by this Court and this order has been passed while keeping in view the sick note filed by Mr. Brahmbhatt for today.

Learned advocate Mr. Munshaw has made a statement before this Court that the compassionate appointment has been given to the respondent initially in Class IV post as there was ban and thereafter, case of the respondent was considered for appointment in Class III post as per the policy and circular issued by the corporation on 29.5.1999 for which present petition has been filed by the petitioner and, therefore, present petition has become infructuous.

Considering the statement made by Mr. Munshaw, learned advocate for the respondents, this petition is disposed of as having become infructuous. Rule is discharged. There shall be no order as to costs. However, the petitioner will be at liberty to move the Registry of this court by filing mere note for revival of this petition in case of any difficulty.

4.4.2002. (H.K.Rathod,J.)

Vyas